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APR 30 2004

DATE: April 30, 2004
TO: Examiner Barbara N. Burgess
FIRM: USPTO, Group Art Unit 2157
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FROM: Jon A. Gibbons

**TOTAL NUMBER OF PAGES: 14
(INCLUDING THIS PAGE)**

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MESSAGE:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael L. EMENS et al.

Serial No.: 09/611,839

For: *SOFTWARE AND METHOD FOR CONTROLLING
THE TIMING OF DELAYED DOWNLOADS*

Enclosed are the following:

Transmittal letter (1 page); and Response with Amendment (12 pages)

Docket No.: AM9-1999-0218

110-A99-173

April 30, 2004

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

: Atty. Docket No. AM9-1999-0218

Michael L. EMENS, et al.

: Group Art Unit: 2157

Serial No. 09/611,839

: Examiner: Barbara N. Burgess

Filed: July 7, 2000

: Confirmation No. 6929

For: SOFTWARE AND METHOD FOR CONTROLLING THE TIMING OF DELAYED DOWNLOADS

TRANSMITTAL**MAIL STOP AMENDMENT**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

SIR:


Transmitted herewith is an amendment in the above-identified application.

☒ No additional filing fee is required.The fee has been calculated as shown below. *(Small entity fees indicated in parentheses.)*

CLAIMS AS AMENDED						
(1)	(2)	(3)	(4)	(5)	(6)	(7)
	Claims Remaining After Amendment		Highest Number Previously Paid For	Extra Claims	Rate	Fee
Total Claims (Small Entity)	21	-	21	0	18.00 (9.00)	0
Independent claims (Small Entity)	5	-	5	0	86.00 (43.00)	0
Multiple Dependent (Small Entity)	0	-	0	0	290.00 (145.00)	0
Extension of Time Fee (Small Entity)	One Month \$110 (\$55)		Two Months \$420 (\$210)	Three Months \$950 (\$475)		0
Total						\$0.00

☒ The Commissioner is hereby authorized to charge any required fees to Deposit Account No. 09-0441.

Respectfully submitted,

Date: 4/30/04By: 
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PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No. : 09/611,839
 Applicant : Michael L. EMENS et al.
 Filed : July 7, 2000
 TC/A.U. : 2157
 Examiner : Barbara N. BURGESS
 Docket No. : AM9-1999-0218
 Customer No. : 23334

Confirmation No. 6929

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VIA FACSIMILE (703) 872-9306

Mail Stop Amendment
 Commissioner for Patents
 P.O. Box 1450
 Alexandria VA 22313-1450
 Attention: Examiner Barbara N. BURGESS

RESPONSE WITH AMENDMENT UNDER 37 C.F.R. § 1.111

Sir:

The following amendment is being submitted in response to the Office Action dated January 30, 2004 in connection with the above-identified application. Please enter and consider the following amendment and remarks as follows:

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 or facsimile transmitted to the U.S. Patent and Trademark Office on the

date April 30, 2004 By: Karen Taragowski
 Signature: Karen Taragowski
 Applicant, Assignee, or Representative

AM9-1999-0218

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09/611,839